

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

RODNEY B. JONES

CIVIL ACTION NO. 04-1565-P

VERSUS

JUDGE S. MAURICE HICKS, JR.

PAM HEARN, ET AL.

MAGISTRATE JUDGE HORNSBY

ORDER

The above-captioned matter was remanded for this Court to issue written reasons for its certification that Plaintiff Rodney B. Jones' ("Jones") appeal was not taken in good faith. See Record Document 60.

Before entering the judgment (Record Document 53) that dismissed Jones' complaint with prejudice, the Court thoroughly reviewed the record, including Jones' written objections. This Court concluded that Jones' objections were without merit and did not substantially question that Magistrate Judge's reasoning. Jones' strongest objection was that he "was transferred to lockdown prior to the forced drugging and told that 'you must comply with treatment as prescribed . . . if you are no compliant, you will remain in lockdown . . .'" Record Document 52 (Memorandum in Support) at 3. Even taking this allegation as true, the Magistrate Judge's carefully reasoned findings and conclusions remained sound. The Magistrate Judge cited multiple cases where "an inmate was faced with a choice (like the one in this case) that he either (1) undergo the medical procedure to which he objected or (2) **remain** in a segregated area for as long as a year" and such an option was deemed constitutional. Record Document 51 at 9 (emphasis added).

This Court considered the Magistrate Judge's carefully reasoned report and recommendation and Jones' unavailing objections in not only entering its September 27,

2005 judgment, but also in deciding to certify that Jones' appeal was not taken in good faith. In making such certification, the Court believed that none of errors alleged by Jones were meritorious and that such errors could not be supported on appeal. Accordingly, this Court again certifies that pursuant to 28 U.S.C. § 1915(a)(3) and Fed. R. App. P. 24(a)(3), Jones' appeal is not taken in good faith.

IT IS SO ORDERED.

THUS DONE AND SIGNED at Shreveport, Louisiana, this 17th day of July, 2006.



S. MAURICE HICKS, JR.
UNITED STATES DISTRICT JUDGE